

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. CR05-0060L
)	
v.)	MOTION, DECLARATION AND
)	ORDER CONTINUING PRETRIAL
ROBERT ALLEN HART)	MOTIONS DUE DATE
)	
Defendant.)	NOTING DATE: April 7, 2005
)	

I. MOTION

Robert Allen Hart, by and through his attorney, Peter Mazzone, hereby moves this court for an order continuing the pre-trial motions due date from April 7, 2005 to a new date of April 28, 2005. The trial date is currently scheduled for May 23, 2005.

II. GROUNDS FOR THE REQUESTED CONTINUANCE

Defense counsel requests that the pre-trial motions due date be continued to April 28, 2005, so that 1) witnesses may be interviewed, 2) discovery can be examined.

Dated this 6th day of April, 2005.

/S/
Peter Mazzone, WSBA #25262
Counsel for Robert A. Hart
2910 Colby Avenue, Ste. 200

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Everett, WA 98201
(425) 259-4989 (voice)
(425) 259-5994 (fax)
Peterm@pmjustice.com

Approved for Entry:

Telephonic approval
Jill Otake,
Assistant United States Attorney

DECLARATION

I, Peter Mazzone, certify under penalty of perjury under the laws of the United States:

1. That I am appointed counsel for the defendant in this cause.
2. The initial discovery was received in our office on March 31, 2005.
3. That Ms. Otake, Assistant United States Attorney, advised that the additional discovery was being sent out on April 7, 2005.
4. The discovery needs to be examined in order to adequately prepare defense pre-trial motions
5. That I was on maternity leave from March 25, 2005 until April 4, 2005 for the birth of my son.
6. I believe that a three week continuance beyond the currently scheduled motions deadline date of April 7th will be needed in order to prepare any potential pre-trial motions on behalf of Mr. Hart.
7. I have spoken with Jill Otake, the Assistant United States Attorney assigned

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to this case and she has stated that she has no objection to the requested continuance provided that the defense agrees to give the government two weeks to respond to any motions that the defense files.

/s/
Peter Mazzone, WSBA # 25262

ORDER

THIS MATTER having come before the Court upon the motion of the defendant, the Court finds that continuing the pretrial motions due date and trial date is appropriate; now, therefore

IT IS HEREBY ORDERED that the pretrial motions due date be continued from April 7, 2005 to a new date of April 28, 2005. Furthermore, it is also ordered that the Government will have two weeks to respond to any motions filed by the defense. Trial for this case is currently scheduled for May 23, 2005.

Done this 12th day of April, 2005.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge

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